

REMARKS

Claims 4, 7, 8 and 10-35 are pending in this application. Claims 1-3, 5, 6 and 9 have been cancelled, and claims 4, 7, 8, and 10-13 have been amended, by this Amendment.

The Office Action dated September 1, 2005 rejected claims 1-3, 5, 6, 9, 10, 12, 19, 20, 22, 23, 25, and 29-34 as being anticipated by prior art; and rejected claims 4, 11, 24 and 35 as being obvious in view of the prior art. Applicant gratefully acknowledges the indication that claims 7-8, 13-18, 21, 26-28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Allowable Subject Matter

In view of the indication of allowable subject matter, applicants have cancelled claims 1-3, 5, 6 and 9, and amended claims 7, 8, and 13-18 to be in independent form including all of the limitations of the base claim and any intervening claims. It is understood that claims 7, 8, and 13-18 are in condition for allowance.

Anticipation Rejections

The grounds for the anticipation rejection of claims 1-3, 5, 6, 9, 10, 12, 19, 20, 22, 23, 25 and 29-34 is set forth in part 3 on pages 2-5 of the Office Action. Specifically, the claims are rejected as being anticipated by the embodiment shown in Figs. 1 and 3, and discusses at columns 6-8, of U.S. Patent No. 6,560,223 issued to Egan et al (this embodiment hereinafter referred to simply as "Egan"). The rejection is rendered moot as applied to cancelled claims 1,-3, 5, 6, and 9. With respect to claims 10, 12, 19, 20, 22, 23, 25 and 29-34, applicants respectfully traverse the rejection at least because it fails to establish a prima facie case that Egan includes each and every one of the combination of features recited in these claims.

Claims 19, 20, 22, 23 and 25

Claim 19 is an independent claim (claims 20, 22, 23 and 25 are dependent on claim 19) directed to a method of call delivery within a mobile packet-switched telephony network.

The claim recites "receiving a local call at a gateway function. . .; the gateway function obtaining from the subscriber's packet-switched telephony home function subscriber location information for the called subscriber, the subscriber location information including an address of a visited function corresponding to the subscriber identification" and "establishing a packet-switched telephony call from the gateway function towards the address of the visited function."

The rejection refers to col. 6, lines 11-58, and col. 7, line 52, to col. 8, line 41, of the patent. However, there is no indication in these passages that telephone calls in Egan are received at a gateway function as recited in claim 19. Element 55 is remote from the PSTN telephone network and communicates with element 50 via LAN/WAN 60. Also, element 55 is a signaling device and thus does not receive a voice call. Furthermore, element 55 as a signaling device also does not establish a packet-switched telephony call. The telephone call is connected by remote port 38 and remote controller 115 via PSTN network connections 40 and 41.

Claims 29-34

Claim 29 is an independent claim (claims 30-34 are dependent) directed to a packet switched telephony network that supports mobility. The claim recites "a home function including a home function database storing current location information and a subscriber profile for one or more subscribers".

The rejection refers to col. 7, lines 11-28, of the patent as including these features. Evidently, it is intended that the "locator" mentioned in this passage is the recites home function. However, the locator in Egan runs a background task to setup a silent link with the portable terminal to identify if it is still in its last location. The locator does not include a home function database storing current location information. Nor is there any mention of storing subscriber profiles for one or more subscribers. Thus, Egan does not include a home function as it is recited in claims 29-34.

Claims 10 and 23

Claim 10 is an independent claim and claim 23 is dependent on claims 19 and 22. Both claims recite that the call from the visited function to the called subscriber is forwarded as a packet-switched telephony call. The rejection refers to col. 7, line 61, to col.8, line 9, of the patent. However, this portion does not indicate that the connection from the visited function 55 to the subscriber terminal 20 in Egan is a packet-switched connection.

Claims 12 and 25

Claim 12 is an independent claim and claim 25 is dependent on claim 19. Both claims recite that the visited function is provided on the called subscriber terminal. The rejection refers to col. 6, lines 41-67, of the patent. However, the visited function in Egan is provided on computer device 55 rather on subscriber terminal 20.

Obviousness Rejections

Claim 4

The grounds for the obviousness rejection of claim 4 is set forth in part 5 on page 6 of the Office Action. Specifically, the claim is rejected as being obvious over Egan in view of U.S. Patent No. 5,870,589 to Alexander Jr. et al. Further reasons in support of the rejection are provided in the paragraph bridging pages 8 and 9 of the Office Action. Applicants respectfully traverse the rejection because it fails to establish a prima facie case that the applied references suggest a roaming method having each and every one of the combination of features recited in claim 4.

Claim 4 specifies that the packet-switched telephony network address of the serving visited function comprises an Asynchronous Transfer Mode (ATM) address. The reasoning in the Office Action states that: 1) both Egan and the Alexander patent are directed to packet-switched telephony networks; and 2) the Alexander patent uses ATM in the Lan Emulation

Resolution Protocol (LE_ARP) discussed at col. 8, lines 29-67, and also "explains the efficiency of using ATM." The rejection seems to reason that it would generally be obvious to modify any packet-switched telephony network to use ATM. This is incorrect, ATM is but one of many different types of packet-switched networks. Simply because there are some advantages to an ATM network does not mean that every packet-switched telephony network should be modified to use ATM. Egan must be considered as a whole, and there is no showing in the rejection of why Egan should be modified. It is noted that the present rejection is verbatim the same as the previous rejection based on Ahopelto, and apparently without consideration to the differences between Egan and Ahopelto.

The rejection also further states that "ATM address is inherently present in the system of Egan and Alexander as recited above." In addition to the reasons above why Egan would not be modified because of the Alexander patent, applicants respectfully dispute that ATM is "inherently" present in the references.

Claims 11, 24 and 35

The grounds for the obviousness rejection of claims 11, 24 and 35 is set forth in part 6 on pages 6-7 of the Office Action. Specifically, the claims are rejected as being obvious over Egan in view of U.S. Patent No. 6,560,223 to Kelly. Further reasons in support of the rejection are provided on page 9 of the Office Action. Applicants respectfully traverse the rejection because it fails to establish a prima facie case that the applied references suggest the features recited in claims 11, 24 and 35.

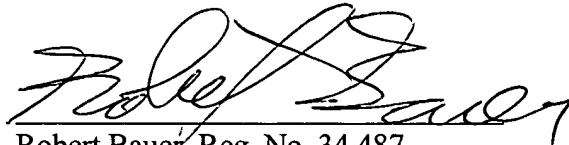
Claims 11, 24 and 35 recite features related to translating and sending a packet-switched telephony call between a visited function and a subscriber terminal. The reasoning on page 9 states that "[b]oth references teach communication over the packet switched network." It is noted that this rejection is also verbatim the same as the previous rejection based on Ahopelto. Similar to the arguments above with respect to claim 4, applicants submit that it is not appropriate to generally conclude that any packet switched network which provides communications should be modified in light of Kelly.

Conclusion

Applicants respectfully submit that all of the currently pending claims are allowable over the cited references for at least the above reasons. A notice of allowance is requested.

Applicants include a check in the amount of \$1,000 for the additional independent claims resulting from this Amendment. The Commissioner is authorized to charge any other fees which are necessary for the consideration of this Amendment to Deposit Account No. 10-0100 (Dkt. No. NOKIA.33US).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert Bauer", written over a horizontal line.

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